

REMARKS

This is a full and timely response to the non-final Office Action mailed on October 6, 2004 (Paper No. 09/28/04). Claims 1-70 are canceled and claims 71-116 are newly added. Claims 71-116 are pending in the present application. Reconsideration and allowance of the application and present claims are respectfully requested. Applicants should not be presumed to agree with any statements made by the Examiner regarding the rejections and objections made in the Office Action unless otherwise specifically indicated by the Applicants.

I. Canceled Claims

Claims 1, 4-11, 14-21, 24-30, 33-39, 42-54, 56, 59-65, and 67 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,184,877 to *Dodson, et al.* Applicants respectfully traverse this rejection.

In the Office Action, claims 2-3, 12-13, 22-23, 31-32, 40-41, 57-58 and 68-69 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Dodson* in view of U.S. Patent No. 6,005,656 to *Legall, et al.* Claims 55 and 56 stand rejected under 35 U.S.C. § 102(e) as allegedly being unpatentable over *Dodson* and in view of U.S. Patent No. 6,708,311 to *Berstis*. Claim 70 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Dodson* in view of U.S. Patent No. 5,930,493 to *Ottesen*.

Claims 1-70 are canceled without prejudice, waiver, or disclaimer. Therefore, rejections related to any of claims 1-70 are rendered moot, and Applicants should not be presumed to agree with any statements made by the Examiner regarding any of claims 1-70 unless otherwise specifically indicated by Applicants.

II. Newly Added Claims

Claims 71-116 have been newly added. The newly added claims 71-116 are adequately supported by the specification. Consideration of new claims 71-116 is respectfully requested. The references cited by the Examiner do not disclose, teach, or suggest any of the newly added claims 71-116.

A. Claims 71-75

Claims 71-75 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in memory, said portion of the media information comprising information corresponding to media programs with respective start times in the user-selected time period and matching the search term, wherein the search term is different than the start time in the user-selected time period.”

B. Claims 76-86

Claims 76-86 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program determined to contain the search term, wherein the start time of the at least one media program is in the user-selected time period, wherein the search term is different than the start time in the user-selected time period.”

C. Claims 87-92

Claims 87-92 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “responsive to receiving the first user input: outputting to the television by the STT a second presentation comprising a portion of the media information stored in the first memory, said portion of media information corresponding to a plurality of media programs in the user-selected time period; and providing to the user a search option to search the media information stored in the first memory for media programs based on the user-selected time period.”

D. Claims 93-98

Claims 93-98 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfy the at least one

search criterion, wherein said portion of the media information includes an identification of the respective media quality of the at least one media program.”

E. Claims 99-104

Claims 99-104 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, wherein said portion of the media information includes an identification of the respective type of television service providing the at least one media program.”

F. Claims 105-110

Claims 105-110 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “responsive to the user activating the search option, outputting to the television by the STT a portion of the media information stored in the memory, said portion of the media information corresponding to at least one media program that satisfies the at least one search criterion, wherein said portion of the media information includes entitlement information corresponding to the at least one media program.”

G. Claims 111-115

Claims 111-115 are allowable for at least the reason that none of the cited references teach, suggest, or disclose “creating a third data set by a processor in the STT from portions of the first and second data sets; storing the third data set in the memory of the STT; providing to the user a search option to search the third data set for programs that satisfy at least one search criterion; and responsive to the user activating the search option, outputting to the television by the STT a portion of the third data set, said portion of the third data set corresponding to at least one program that satisfies the at least one search criterion.”

H. Claim 116

Claim 116 is allowable for at least the reason that none of the cited references teach, suggest, or disclose “a processor configured to search said media information and to cause a

search result related to user input to be displayed on a display device, wherein said processor is further configured to filter out attributes of a media information.”

III. Finding of Inherency

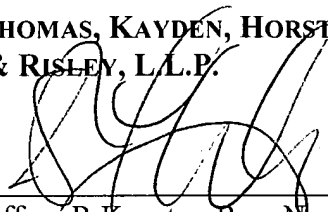
The Examiner has stated that “Program Guide (PG) Database ... inherently includes ‘a processor ...’ configured to receive via Internet communication interface 106, and responsive User Input 206 and configured to cause search result related to user input to be displayed on TV Display 100 of STB 102 ‘interactive media services client device.” The Examiner also stated that “Program Guide (PG) Database ... inherently includes ‘a processor ...’ configured to receive via Internet communication interface 106, User Input via Input Device (UI) 206 and configured to cause search result related to UI 206 to be displayed on TV Display 100 of STB 102 ‘interactive media services client device.” The Examiner also stated that “the claimed ‘searching logic configured to search through media data using a search criterion identified via user input ...’ is inherently to Program Guide Database Server (PG-Data-Server) at Cable Company (col. 3, lines 12-28), which includes a Controller for identifying user search criterion such as MOVIES, ACTORS, *etc.*, via User Input (UI) 206 and searching the PG-Data for television programs ‘media presentations’ that are currently being broadcast ‘available on demand’ and television programs that are scheduled to be broadcast at predetermined times (col. 3, lines 29-32) and to cause a search result that meets the MOVIES, ACTORS, *etc.*, to be transmitted to STB 102 ‘client device.’”

Applicants respectfully traverse the finding of inherency. It is well established that “[t]o establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.” *In Re Anthony J. Robertson*, 98-1270 (Fed. Cir. 1999). Accordingly, Applicants respectfully submit that the subject matter stated to be inherent in the Office Action is not “necessarily” present as stated.

CONCLUSION

Applicants respectfully maintain that the currently pending claims 71-116 are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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